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FEB 11 2005

**To: Examiner: Dalzid E. Singh
Group Art Unit: 2633
Confirmation No.: 1297**

From: John S. Sensny, Esq.

Fax: 703-872-9306

Pages: 24 (Including fax cover sheet)

Phone:

Date: February 11, 2005

**Re: Applicants: Casimer M. DeCusatis, et al.
Serial No.: 09/964,190
Filed: September 26, 2001
For: "WAVELENGTH MODULATION FOR
OPTICAL BASED SWITCHING AND ROUTING"
Docket: FIS920010143US1 (14581)
JSS:jj**

CC

AMENDMENT UNDER 37 C.F.R. §1.111

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1. Amendment Transmittal Letter (in duplicate);
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3. Authorization to charge IBM Deposit Account No. 09-0458/IBM in the amount of \$200 for the extra independent claim fee; and
4. Certificate of Facsimile Transmission, dated February 11, 2005 (in duplicate).

FOR:

Applicants: Casimer M. DeCusatis, et al.
Serial No.: 09/964,190
Filed: September 26, 2001
For: "WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING"
Docket: FIS920010143US1 (14581)

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.	
Applicant(s): Casimer M. DeCusatis, et al.			FIS920010143US1 (14581)	
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzid E. Singh	Group Art Unit 2633	
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING				
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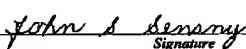
P18/REV02

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. FIS9200101043US1 (14581)	
Applicant(s): Casimer M. DeCusatis, et al.						
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzd E. Singh	Customer No. 23389	Group Art Unit 2633	Confirmation No. 1297	
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING						
COMMISSIONER FOR PATENTS:						RECEIVED CENTRAL FAX CENTER FEB 11 2005
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	20 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	7 -	6 =	1	x \$200.00	\$200.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$200.00	
<input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 09-0458/IBM in the amount of \$200.00 <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0458/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.						
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_____ <i>John S. Sensny</i> John S. Sensny Registration No. 28,757 Scully, Scott, Murphy & Presser 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343			Dated: February 11, 2005			
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P11LARGE/REV09

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.	
Applicant(s): Casimer M. DeCusatis, et al.			FIS920010143US1 (14581)	
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzid E. Singh	Group Art Unit 2633	
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING				
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<u>John S. Sensny</u> (Typed or Printed Name of Person Signing Certificate)				
<u>John S. Sensny</u> (Signature)				
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P18REV02

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. FIS9200101043US1 (14581)	
Applicant(s): Casimer M. DeCusatis, et al.						
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzid E. Singh	Customer No. 23389	Group Art Unit 2633	Confirmation No. 1297	
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING						
					RECEIVED CENTRAL FAX CENTER	
<u>COMMISSIONER FOR PATENTS:</u>					FEB 11 2005	
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	20 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	7 -	6 =	1	x \$200.00	\$200.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$200.00	
<input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 09-0458/IBM in the amount of \$200.00 <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0458/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.						
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 _____ Signature			Dated: February 11, 2005			
John S. Sensny Registration No. 28,757 Scully, Scott, Murphy & Presser 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343						
cc: JSS:jy						
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P11LARGE/REV08

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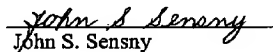
FEB 11 2005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicants:** Casimer M. DeCusatis, et al.**Docket:** FIS920010143US1(14581)**Serial No.:** 09/964,190**Examiner:** Dalzid E. Singh**Filed:** September 26, 2001**Group Art:** 2633**For:** WAVELENGTH MODULATION FOR
OPTICAL BASED SWITCHING AND ROUTING**Dated:** February 11, 2005**Confirmation No.:** 1297Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT UNDER 37 C.F.R. §1.111**

Sir:

In response to the Office Action dated November 17, 2004, please amend the
subject patent application as follows.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and
Trademark Office on the date shown below.

Dated: February 11, 2005
John S. Sensny

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